

REMARKS

Claims 1-11 are pending in this application. By this Amendment, claims 4, 5 and 7 are amended. In addition, the specification is amended to correct minor informalities found therein and Figure 3 is amended to identify the ink needle with reference number 44 and the print head with reference number 23P. This material is supported at page 12, lines 5-14. Further, the addition of reference numeral 23P is in response to the objection to the disclosure. The Amendments to claims 4, 5 and 7 are solely in response to the objection due to informalities. It is submitted that the amendments do not change the scope of the claims, and thus, do not effect patentability.

In paragraph 5, on page 7 of the Office Action, it was indicated that claims 2-8 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the features of the base claim and any intervening claims. Applicant greatly appreciates this indication of allowability, but submits that claim 1, the claim from which the objected to claims depend is allowable for the reasons discussed below.

In paragraph 4, on page 3 of the Office Action, claims 1 and 9-11 were rejected under 35 U.S.C. §103(a) as being unpatentable over Kimura et al., U.S. Patent No. 4,558,326. The rejection is respectfully traversed.

Applicant's claim 1 calls for, among other features, a maintenance unit including a cap member for covering the print head, wherein the maintenance unit opens the cap member in a state that the pressurized air is supplied to the air chamber of the ink cartridge. Claim 9 calls for, among other features, a maintenance unit including a cap member for covering the print head and conducting maintenance of the print head, wherein the maintenance unit opens the cap member in a state that the pressurized air is supplied to the air chamber of the ink cartridge; claim 10 calls for, among other features, means for covering the print head so as to

shut communication of ink that is located at a tip portion of each of the inkjet nozzles with ambient air; and means for opening the print head so as to communicate the ink that is located at a tip portion of each of the ink jet nozzles with the ambient air in a state that the pressurized air is supplied to the ink cartridge; and claim 11 is a method corresponding to claim 10, which calls for, among other actions, covering the print head so as to shut communication of ink that is located at a tip portion of each of the inkjet nozzles with ambient air; and opening the print head so as to communicate the ink that is located at a tip portion of each of the ink jet nozzles with the ambient air in a state that the pressurized air is supplied to the ink cartridge. The applied reference to Kimura does no such thing.

In fact, the Office Action admits that Kimura does no such thing insofar as noting that Kimura does not teach a maintenance unit including a cap member for covering the print head. The Office Action then goes on to say such is well known. Whether such is well known is immaterial to what is claimed.

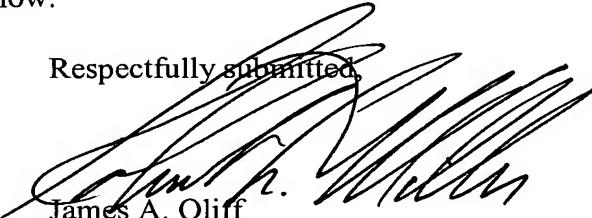
Kimura teaches that when trouble in the ink jet head is detected or at a regular interval, or just before starting the recording operation, the ink is forced out of the ink container into the recording head to forcibly purge the bubbles and solid material out of the ink flow paths. The nozzles confront closely to the periphery of a cleaning roller 23 when the air pressure is supplied, and the ink is jetted from the nozzles onto the peripheral surface of the cleaning roller 23 located facing closely to nozzles 1. From there, the ejected waste materials eventually drop into a waste receiver 25 (column 5, lines 52-65 and column 6, lines 56-67). Throughout the remaining descriptions of all of the alternative embodiments of a way to introduce pressurized air into the ink cartridge, the discussion is of ejecting ink and contaminates toward a closely associated cleaning roller. The relationship is shown in Figures 2, 11 and 15. Such a relationship would make it very difficult to add a cap member.

Further, the only reason discussed in the Office Action for adding a cap member is to prevent ink in the head from drying up during the head unused period. Yet there is nothing in Applicant's claims that deal with ejecting ink or using a cap member to prevent ink in the head from drying up. Rather Applicant's claims, and the various wording therefore, indicate that the nozzles are covered by a cap member, air pressure is applied to the ink cartridge, and while the air pressure is applied to the ink cartridge, the cap member is removed. Such has nothing to do with preventing ink from drying up and says nothing about ejecting ink. As such, the Office Action has failed to establish a prima facie case of obviousness and the rejection is improper for all of claims 1 and 9-11.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-11 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,

  
James A. Oliiff  
Registration No. 27,075

Robert A. Miller  
Registration No. 32,771

JAO:RAM/kap

Date: February 1, 2005

**OLIFF & BERRIDGE, PLC**  
**P.O. Box 19928**  
**Alexandria, Virginia 22320**  
**Telephone: (703) 836-6400**

<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>
--

**Amendments to the Drawings:**

The attached replacement drawing sheet makes changes to Fig. 3 and replaces the original sheet with Fig. 3.

Attachment: Replacement Sheet